

## **Initial Statement of Reasons**

### **Clean Air Vehicle Decals**

#### **Section 156.00, Article 3, Title 13**

Vehicle Code sections 5202.5 and 21655.9 allow certain, specified vehicles to use high-occupancy vehicle lanes (diamond lanes) with fewer than the required occupants. The Governor is authorized to remove the diamond lane from use by the subject vehicles under certain specific conditions. The statutes are very specific about what type of vehicle is eligible to receive clean air vehicle decals. Since the department does not have the expertise to determine which vehicles qualify for the decals, the department relies on the Air Resources Board (ARB) to provide a list of qualifying vehicles.

This proposed revision makes it clear to the public that only vehicles that meet the standards of a super ultra-low emission vehicle are eligible to receive the decals.

**Subsection 156.00 (a)** specifies that the applicant shall complete an Application for Clean Air Vehicle Decals [Form REG 1000]. The application was revised to indicate that ULEV decals are available as replacements only because this class of vehicles has been removed from Vehicle Code section 5202.5 effective January 1, 2004.

**Subsection 156.00 (b)** identifies the federal and state code sections that set the standards that must be met for a vehicle to be eligible for Clean Air Vehicle Decals. This subsection also specifies the three types of vehicles that are eligible for exemption from the occupancy requirements for diamond lane usage. This subparagraph is being modified to eliminate the Ultra Low Emission Vehicle because the Ultra Low Emission Vehicle was removed from the eligibility list in Vehicle Code section 5202.5 for clean air decals effective January 1, 2004. ARB's Internet website and toll free telephone number are being provided to assist the public in obtaining the list of vehicles eligible for the decals.

**Subsection 156.00 (c)** specifies when an applicant's vehicle does not appear on the Air Resources Board (ARB) list of eligible vehicles, the department will refuse the application and refer the applicant to the ARB for a certificate of eligibility. Because the department is unable to verify if a vehicle meets the standards for the decal, the applicant will be referred to ARB's Internet website or toll free telephone number for assistance in obtaining certification that the vehicle is eligible for the decal. The certification must be presented to the department before decals may be issued.

**Subsection 156.00 (c)(1)** specifies requirements for a vehicle which has been converted to 100% electric power to qualify for Clean Air Vehicle Decals. Since the department is not qualified to determine if the vehicle meets the standards for the decal, the department will refer the applicant to the ARB'S toll free telephone number for assistance in

obtaining a certification of eligibility. The certification must be presented to the department before decals may be issued.

**Subsection 156.00 (c)** is being proposed to be relettered (d) and to eliminate the word “optional.” Because only certain types of vehicles qualify for this decal, the vehicle model and year is necessary to make sure they are on ARB’s list.

**Subsection 156.00 (d)** is being proposed to be relettered (e).

**Subsection 156.00 (e)** is being proposed to be relettered (f).